

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, Mail Stop Amendment, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date:
 Date: August 15, 2005 Name: Robert B. Polit, Reg. No. 33,993 Signature: *[Signature]*

**BRINKS
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& LIONE**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Appln. of: Chiranjit Deka et al.

Appln. No.: 10/828,929

Examiner: Leonid M. Fastovsky

Art Unit: 3742

Filed: April 21, 2004

For: ANALYSIS APPARATUS HAVING
IMPROVED TEMPERATURE CONTROL
UNIT

Attorney Docket No: 12858-9

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL

Sir:

Attached is/are:

- ☒ Information Disclosure Statement (in dup.); Form PTO-1449; copies of 5 cited references; check in the amount of \$180.
- ☒ Return Receipt Postcard.

Fee calculation:

- ☒ No additional fee is required.
- ☐ Small Entity.
- ☐ An extension fee in an amount of \$_____ for a _____-month extension of time under 37 C.F.R. § 1.136(a).
- ☐ A petition or processing fee in an amount of \$_____ under 37 C.F.R. § 1.17(_____).
- ☐ An additional filing fee has been calculated as shown below:

					Small Entity			Not a Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	or	Rate	Add'l Fee
Total		Minus			x \$25=			x \$50=	
Indep.		Minus			x 100=			x \$200=	
First Presentation of Multiple Dep. Claim					+\$180=			+\$360=	
					Total	\$		Total	\$

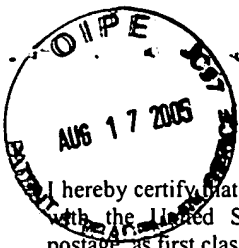
Fee payment:

- ☐ A check in the amount of \$_____ is enclosed.
- ☐ Please charge Deposit Account No. 23-1925 in the amount of \$_____. A copy of this Transmittal is enclosed for this purpose.
- ☐ Payment by credit card in the amount of \$_____ (Form PTO-2038 is attached).
- ☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Date

Respectfully submitted

[Signature]
Robert B. Polit (Reg. No. 33,993)



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with the United States Postal Service, with sufficient
postage, as first class mail in an envelope addressed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313
on August 15, 2005

Date of Deposit

Robert B. Polit, Reg. No. 33,993

Name of applicant, assignee or
Registered Representative

Signature

8/15/05
Date of Signature

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Fastovsky

Art Unit: 3742

INFORMATION DISCLOSURE STATEMENT

In accordance with the duty of disclosure under 37 C.F.R. §1.56 and §§1.97-1.98, and more particularly in accordance with 37 C.F.R. §1.97(c), Applicants hereby cite the following reference(s):

U.S. Patents

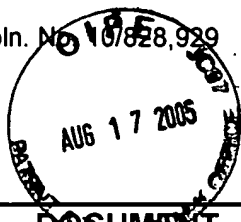
DOCUMENT NUMBER	DATE	NAME
5,641,400	06/24/1997	Kaltenbach et al.
6,423,536 B1	07/23/2002	Jovanovich et al.

08/18/2005 HMARZ11 00000026 10828929

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Foreign Patents

DOCUMENT NUMBER	DATE	COUNTRY
EP 0318273 A2	05/31/1989	EPO
WO 98/08978	03/05/1998	WIPO
WO 01/31053 A1	05/03/2001	WIPO

Other Art

Search Report dated July 25, 2005, for corresponding International Application No. PCT/US2005/013558.
BURNS, Mark A. et al.; "An Integrated Nanoliter DNA Analysis Device"; <u>Science</u> 1998, Vol. 282, pp. 484-487.

Applicants are enclosing Form PTO-1449 (one sheet), along with a copy of each listed reference for which a copy is required under 37 C.F.R. §1.98(a)(2). As each of the listed references is in English, no further commentary is believed to be necessary, 37 C.F.R §1.98(a)(3). Applicants respectfully request the Examiner's consideration of the above reference(s) and entry thereof into the record of this application.

By submitting this Statement, Applicants are attempting to fully comply with the duty of candor and good faith mandated by 37 C.F.R. §1.56. As such, this Statement is not intended to constitute an admission that any of the enclosed references, or other information referred to therein, constitutes "prior art" or is otherwise "material to patentability," as that phrase is defined in 37 C.F.R. §1.56(a).

For purposes of 37 C.F.R. §1.704(d), Applicants certify that each item of information contained in this Statement was cited in a communication from a foreign patent office in a counterpart application, and that this communication was not received by any individual designated in 37 C.F.R. §1.56(c) more than thirty days prior to the filing of this Statement (a copy of any foreign communication first citing a listed reference is attached for the Examiner's reference).

Applicants have calculated a processing fee in the amount of \$180.00 to be due under 37 C.F.R. §1.17(p) in connection with the filing of this Statement. Applicants have enclosed a check covering this fee, or authorized charging the fee to a deposit account or credit card, as indicated in the Transmittal accompanying this Statement.

Respectfully submitted,

8/15/05
Date



Robert B. Polit (Reg. No.33,993)



FORM PTO-1449	SERIAL NO. 10/828,929	CASE NO. 12858-9
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT	FILING DATE April 21, 2004	GROUP ART UNIT 3742
(use several sheets if necessary)		APPLICANT(S): Deka et al.

REFERENCE DESIGNATION U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	NAME	CLASS/ SUBCLASS	FILING DATE
	A1	5,641,400	06/24/1997	Kaltenbach et al.		
	A2	6,423,536 B1	07/23/2002	Jovanovich et al.		

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	COUNTRY	CLASS/ SUBCLASS	TRANSLATION YES OR NO
	A3	EP 0318273 A2	05/31/1989	EPO		Yes
	A4	WO 98/08978	03/05/1998	WIPO		Yes
	A5	WO 01/31053 A1	05/03/2001	WIPO		Yes

EXAMINER INITIAL	OTHER ART – NON PATENT LITERATURE DOCUMENTS <small>(Include name of author, title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date page(s), volume-issue number(s), publisher, city and/or country where published.</small>	
	A6	Search Report dated July 25, 2005, for corresponding International Application No. PCT/US2005/013558.
	A7	BURNS, Mark A. et al.; "An Integrated Nanoliter DNA Analysis Device"; <u>Science</u> 1998, Vol. 282, pp. 484-487.

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.